IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.334 OF 1994
IN
FIRST APPEAL NO.671 OF 1989

High Court on its own Motion

V/s.

M/s.Shellim Samuel & Co. ..Respondents.

Ms.Jayashree S. Garge, daughter of appellant present in court.

CORAM: A.M.KHANWILKAR,J

DATE : MARCH 31, 2006.

P.C. :

1. First appeal has been disposed of as back as on 13th June, 1991. Office endorsement indicates that appellant has not paid deficit court fee of Rs.780/-. The office had to take steps against the advocate on record. However, it transpired that advocate on record for the appellant was already dead. In the circumstances, to recover the deficit court fee, the court was required to issue bailable warrant to the appellant contemnor. Ms.Jayashree Garge appears before the court and informs that the original appellant has expired long back. She however, states that she is daughter of original appellant Dattatraya Joshi. She undertakes to pay deficit court fee in the course of the day. On that

assurance, matter is kept at 5 p.m. today. She is required not only to pay deficit court fee to the extent of Rs.780/- in the office but also additional costs in the sum of Rs.1,000/- in the High Court Legal Services Committee and produce the receipt before this court. On this assurance matter kept at 5 p.m.

AT 5 P.M.

2. Ms.Garge has produced receipt issued by the Establishment Officer, High Court Legal Services Committee in the sum of Rs.1,000/- and another receipt issued by the Assistant Superintendent, Decree Department(C.C.Branch) for having paid Rs.780/-. As all office objections have been removed, no further directions are required. Notices issued in terms of the order earlier passed stands discharged.

3. It is brought to my notice that since today stamp office is closed, amount towards court fee has been deposited with Nazar(Assistant Superintendent.)